



U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

July 3, 2000

MEMORANDUM FOR THE ATTORNEY GENERAL

FROM:

Robert Raben *RR by nsj*  
Assistant Attorney General

SUBJECT:

Weekly Report for July 3, 2000 - July 7, 2000

The House and Senate are in recess until July 10.

KEY ISSUES

**Campaign Finance:** On June 27, you testified before the Senate Committee on the Judiciary (Hatch, Chair) on the "Continuation of the Oversight Hearing on the 1996 Campaign Finance Investigations." Chairman Hatch and Senator Specter presided. (Walter)

THE WEEK AHEAD

**U.S. Marshals Service Oversight Hearing:** The hearing scheduled on June 29 on the U.S. Marshals Service before the House Judiciary Committee's Subcommittee on Crime (McCollum, Chair), was postponed. USMS Director John W. Marshall was scheduled to testify. (Daley)

**Bankruptcy:** Senate Majority Leader Lott indicated late last week that the "informal conference" was complete and he was looking to move the Bankruptcy bill before the July 4 recess. Notwithstanding the fact that Democrats were complaining, there are still remaining issues to be agreed upon. On June 29, the President sent another letter to the House and Senate, reiterating his concerns with the abortion, check collection practices and homestead provisions. The letter also says that if the reports about the final bill are accurate (final language has not been shared with Democrats), he will veto it. (Wilson)

**Drug Hearings:** The Senate Judiciary Committee (Hatch, Chair) is planning to hold field hearings on drug issues and criminal alien issues in Utah on July 6 and 7. US Attorney Paul Warner, DEA Administrator Donnie Marshall, the Customs SAC for the Los Angeles Field office and INS Salt Lake City Officer in Charge have been invited to testify. (Scott-Finan)

**United/US Airways Merger:** On July 10, the Senate Judiciary Committee's Subcommittee on Antitrust, Business Rights and Competition (DeWine, Chair) will hold a field hearing in Pittsburgh, PA, in the Gold Room of the Allegheny County Courthouse. Senator Specter will preside. (Slover)

**ADA Hearing:** Senator Jeffords, Chair of the Senate Health, Education, Labor and Pensions Committee, is considering holding a hearing on July 26 to commemorate the passage of the Americans with Disabilities Act and to celebrate the 10th anniversary of the Act. The Department has been asked to testify in the event the hearing does occur. (Ho)

**ADA Notification Act:** The House Judiciary Subcommittee on the Constitution (Canady, Chair) is considering amendments to H.R. 3590, the ADA Notification Act, in an effort to garner support for the bill. The bill currently provides that prior to filing suit under the ADA, plaintiffs must give defendants 90 days notice. Also, the bill specifies that if notice is not given then attorneys fees cannot be awarded. The Subcommittee held a hearing on the bill on May 18. The Department sent a views letter to the Subcommittee opposing the bill. Majority staff has requested a meeting with minority staff to discuss possible amendments. Representatives from the Office of Legislative Affairs and the Civil Rights Division in conjunction with the disability rights community, have been working with minority staff on available options. (Ho)

### **THE WEEK IN REVIEW**

**E-Signatures:** On June 30, President Clinton signed into law, S. 761, the "Electronic Signatures in Global and National Commerce Act." (Owen)

**Visas for Religious Workers:** On June 29, the House Judiciary Committee's Subcommittee on Immigration and Claims (Smith, Chair) held an oversight hearing on "Evaluating the Religious Worker Visa Program." Acting Assistant Commissioner of Adjudications Tom Cook testified before the Subcommittee. (First)

**Fetal Tissue Research:** The Senate accepted an amendment by Senator Bob Smith to limit the use of funds reimbursed to entities procuring fetal tissue for research. (First)

**Adopted Orphans:** On June 29, the House Judiciary Committee's Subcommittee on Immigration and Claims (Smith, Chair) passed a bill to speed the process of naturalization for adopted orphans, and to retroactively make them citizens from birth. (First)

**Federal Courts and the Internet:** On June 29, the House Judiciary Committee's Subcommittee on Courts and Intellectual Property (Coble, Chair) held an oversight hearing on issues related to how the Internet is treated in federal courts. Deputy Associate Attorney General D. Jean Veta testified. (Owen)

**Class Actions:** On June 29, the Senate Judiciary Committee (Hatch, Chair) voted out S. 353, class action reform, by a vote of 11-7. Senator Kohl, a co-sponsor of the bill, was the only Democrat to vote with all the Judiciary Republicans. Six Democratic amendments, most dealing with various carve-outs (guns, tobacco, etc.), were offered, and all six failed by 7-10 votes. Senators Biden and Leahy threatened a filibuster when this bill gets to the floor. (Wilson)

**Violence Against Women Act Reauthorization:** On June 28, the House Judiciary Committee (Hyde, Chair) passed H.R. 1248, a bill to reauthorize the Violence Against Women Act (VAWA). The Senate Judiciary Committee passed a similar, but more substantive bill, S. 2787, on June 29. (First)

**Compensation for Bataan POWs:** On June 28, the Senate Judiciary Committee (Hatch, Chair) held a hearing on compensation for Bataan POWs. Civil Division's Acting Assistant Attorney

General David Ogden testified before the Committee. (Wilson)

**H.R. 4419, the Internet Gambling Funding Prohibition Act:** On June 28, the House Banking Committee (Leach, Chair) approved H.R. 4419 by voice vote. This bill will prohibit the use of bank instruments for Internet gambling. (Daley)

**Prescription Drugs:** On June 28, the House passed H.R. 4680, the "Medicare Rx 2000 Act" with a roll call vote (217-214). The bill will provide a prescription drug benefit to Medicare beneficiaries. (Pearlman)

**Hate Crimes:** Ranking Minority Member Conyers offered his hate crimes bill as an amendment during the VAWA mark up in the House Judiciary Committee, but withdrew it when the Chair of the Crime Subcommittee, Congressman McCollum, said that he planned to do a mark up on hate crimes. (Scott-Finan)

**Prisoner Co-Pay:** On June 27, the House Judiciary Committee (Hyde, Chair) began debate, but did not complete action, on H.R. 1349, a bill to amend title 18 U.S. Code to combat the over utilization of prison health care services and control rising prisoner health care costs. (Scott-Finan)

**Nominations:** On June 27, the Senate Judiciary Committee (Hatch, Chair) approved the following nominations by voice vote: John Darrah and Joan Lefkow, both to be United States District Judges for the Northern District of Illinois; Paul Huck, to be a United States District Judge for the Southern District of Florida; and George Singal, to be a United States District Judge for the District of Maine. At the Committee's business meeting on June 29, the Committee held over the nominations of Dan Marcus, to be Associate Attorney General, and David Ogden, to be the Assistant Attorney General for the Civil Division. Senator Hatch stated that he recommended moving both of the Departmental nominees.

At the Committee business meeting on June 27, Senator Hatch stated that any new nominations would be difficult to confirm because of the short amount of time left in this session of Congress. He also stated that the July hearing on nominations would be close to being the last hearing on nominations for this Congress.

On June 27, the Senate confirmed the nominations of John Mott, Thoms J. Motley, and Anna Blackburne-Rigsby, all to be judges on the D.C. Superior Court.

The following nominations were confirmed by the Senate on June 29: Julio Mercado, to be Deputy Administrator of Drug Enforcement; Daniel G. Webber, Jr., to be United States Attorney for the Western District of Oklahoma; James L. Whigham, to be United States Marshal for the Northern District of Illinois; and Russell John Qualliotine, to be United States Marshal for the Southern District of New York. On June 30, the Senate confirmed the following nominations: Paul C. Huck, to be a United States District Judge for the Southern District of Florida; George Z. Singal, to be a United States District Judge for the District of Maine; and John W. Darrah and Joan Humphrey Lefkow, both to be United States District Judges for the Northern District of Illinois.

The Senate Judiciary Committee has scheduled a hearing on nominations for July 12. (Scott-Finan)

**Radiation Exposure:** On June 27, the House passed S. 1515, as amended, by voice vote. The Senate passed the amended House version by unanimous consent on June 28. (Pearlman)

**Military Extraterritorial Jurisdiction Act:** On June 27, the House Judiciary Committee (Hyde, Chair) approved H.R. 3380, the Military Extraterritorial Jurisdiction Act of 1999, as amended, by voice vote. This bill provides for federal jurisdiction over crimes committed outside the United States by individuals accompanying the U.S. Military. (Graupensperger)